

**REMARKS****I. STATUS OF THE CLAIMS:**

Claims 1, 3, 4, 6, 8, 9 and 11 are currently pending, and all claims are rejected.

By this Amendment, claims 1, 3, 4, 6, 8, 9 and 11 have been canceled without prejudice or disclaimer, and new claims 12 and 13 have been added. No new matter has been introduced by this Amendment. Upon entry of this amendment, claims 12-13 would still be pending.

**II. CLAIM REJECTIONS – 35 U.S.C. § 103:**

Claim 1-3, 5, 6, 9, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 6,642,960 to Kohashi et al. (“Kohashi”) in further view of JP 2001016509A to Shiomi (“Shiomi”). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kohashi in further view of US 5,335,008 to Hamasaki (“Hamasaki”) in further view of Shiomi. Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kohashi in further view of Examiner’s Official Notice in further view of Shiomi.

New claim 12 is directed to an image sensing apparatus that includes a plurality of pixels arrayed in a horizontal and a vertical direction; a storage unit configured to store a plurality of one-dimensional correction data in accordance with a plurality of image sensitivity settings; a setting unit configured to set image sensitivity; a calculating unit configured to generate two-dimensional correction data by expanding the one-dimensional correction data stored in the storage unit; a correction unit configured to correct image data outputted from the plurality of pixels by using the two-dimensional correction data generated by the calculating unit; and a control unit configured to read the one-dimensional correction data from the storage unit in accordance with the image sensitivity set by the setting unit, and control the calculating

unit so as to generate the two-dimensional correction data by expanding the read one-dimensional correction data.

For example, even if the ISO sensitivity setting in a dark capture operation differs from that in actual photographing operation, appropriate one-dimensional correction data can be read from the storage unit and appropriate two-dimensional correction data can be generated.

It is respectfully submitted that the cited references Kohashi and Shiomi do not appear to disclose or suggest (1) storing a plurality of one-dimensional correction data in accordance with a plurality of image sensitivity settings, (2) reading the one-dimensional correction data from the storage unit in accordance with the image sensitivity set by the setting unit and generating the two-dimensional correction data by expanding the read one-dimensional correction data, and (3) correcting image data outputted from the plurality of pixels by using the two-dimensional correction data generated by the calculating unit. The remaining references do not appear to remedy the deficiencies of the Kohashi and Shiomi teachings.

Accordingly, claim 12 is believed to be distinguishable over the cited references. For similar reasons, claim 13 is also believed to be distinguishable over the cited references.

**CONCLUSION**

Based on the foregoing amendments and remarks, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

**DEPOSIT ACCOUNT AUTHORIZATION**

The Commissioner is authorized to charge any additional fees which may be required for timely consideration of this response, or credit any overpayment to Deposit Account No. 504827, Order No. 1004288.53090.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 504827, Order No. 1004288.53090.

Respectfully submitted,  
LOCKE, LORD, BISSELL & LIDDELL, L.L.P.

Dated: April 3, 2009

By: \_\_\_\_\_

James Hwa  
Registration No. 42,680

Correspondence Address:

Address Associated With Customer Number:

85775